

Basil P. Fthenakis, Esq. (88399)
CRITERION LAW
2225 E. Bayshore Road, Suite 200
Palo Alto, California 94303
Tel. (650) 352-8400
Fax. (650) 352-8408
bpf@criterionlaw.com

Of counsel:

David S. Godkin (Admitted *pro hac vice*)
James E. Kruzer (Admitted *pro hac vice*)
BIRNBAUM & GODKIN, LLP
280 Summer Street
Boston, MA 02210
Tel: (617) 307-6100
Fax: (617) 307-6101
godkin@birnbaumgodkin.com
kruzer@birnbaumgodkin.com

Attorneys for Plaintiff,
SIX4THREE, LLC, a Delaware
limited liability company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SIX4THREE, LLC, a Delaware limited liability company,) Case No. 3:17-cv-00359-WHA
Plaintiff,)
v.) PLAINTIFF'S RESPONSE TO
FACEBOOK, INC., a Delaware corporation,) REQUEST FOR FURTHER RESPONSE
and DOES 1 through 50, inclusive)
Defendants.)
Date: February 16, 2017
Time: 8:00AM
Ctrm: 8
Judge: Honorable William H. Alsup

1 Plaintiff Six4Three, LLC hereby responds to Judge Alsup's Request for Further Response
2 from Plaintiff (#31) as follows: Plaintiff is not withdrawing its request for fees and costs because
3 there was no objectively reasonable basis for Defendant's removal petition. Additionally,
4 Defendant could have withdrawn their opposition to Plaintiff's filing yesterday, but did not,
5 which required Plaintiff's counsel to travel from Massachusetts for the hearing. Accordingly,
6 Plaintiff respectfully requests that the Court enter an order granting Plaintiff's motion to remand
7 and awarding Plaintiff its costs and attorneys' fees incurred with respect to its motion to remand.
8 Plaintiff requests 14 days to submit supporting materials

10
11
12 Dated: February 15, 2017

CRITERION LAW

13
14
15 BIRNBAUM & GODKIN, LLP
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ David S. Godkin
Basil P. Fthenakis
David S. Godkin (admitted *pro hac vice*)
James E. Kruzer (admitted *pro hac vice*)
Attorneys for Plaintiff
Six4Three, LLC

1
2 **CERTIFICATE OF SERVICE**
3

4 The undersigned hereby certifies, under penalty of perjury under the laws of the State of
5 California, that I electronically filed the foregoing document with the Clerk of the Court using
6 the CM/ECF system which will send notification of such filing to the following:
7

8 Sonal N. Mehta
9 Laura E. Miller
10 Catherine Y. Kim
11 Durie Tangri LLP
12 217 Leidesdorff Street
13 San Francisco, CA 94111
14 SMEhta@durietangri.com
15 LMILLER@durietangri.com
16 CKIM@durietangri.com

17 DATED: February 15, 2017

18 By: /s/ David S. Godkin
19 David S. Godkin
20
21
22
23
24
25
26
27
28